

## REMARKS

The Applicant thanks the Examiner for the careful examination of this application. Claims 1 - 20 are pending. Claims 1-9, and 19-20 are rejected and Claims 10-18 are withdrawn from consideration.

Independent Claim 1 positively recites a flange disposed along the first side and having a plurality of holes arranged substantially to align the temperature control assembly for use in an etching process chamber assembly and to position the second side to face toward a process chamber of the etching process chamber assembly. These advantageously claimed features are not taught or suggested by the patents granted to Yamada or Cole Sr. et al.; either alone or in combination.

Yamada teaches away from the advantageously claimed invention because Yamada teaches a wafer chuck having a refrigeration plate and a heater for use in a wafer prober (paragraphs 0015 and 0032), not a temperature control assembly for use in an etching process chamber assembly as advantageously claimed. Similarly, Cole Sr. et al. teaches away from the advantageously claimed invention because Cole Sr. et al. teaches a wafer chuck having a heating element and a cooling element for use in a wafer prober (paragraphs 0002, 0003, and 0028), not

a temperature control assembly for use in an etching process chamber assembly as advantageously claimed.

The Applicant respectfully traverses the assertion in the Office Action (page 3) that Yamada teaches the use of a cooling conduit that is disposed along a groove created in the first side. The Applicant submits that Yamada teaches flow paths formed in the plate (paragraphs 0024 and 0034), not the cooling conduit advantageously claimed.

In addition, the Applicant respectfully traverses the assertion in the Office Action (pages 4-5) that Cole Sr. et al. teach the advantageously claimed fasteners in FIGS. 3-5. The Applicant submits that Cole Sr. et al. do not teach the use of any fasteners in FIGS. 3-5 (paragraphs 0032-0033). Moreover, the Applicant respectfully traverses the assertion in the Office Action (page 5) that Cole Sr. et al. teach the advantageously claimed second fasteners in paragraphs 0039 and 0043. The Applicant submits that Cole Sr. et al. do not teach the second fasteners that include a curved surface that engages the outside surface of the cooling conduit, the curved surface having a shorter radius than the outside surface, such that when coupled to the housing the second fasteners associate the cooling conduit with the housing by clamping the cooling conduit against the housing (paragraphs 0039 and 0043).

Therefore, the Applicant respectfully traverses the rejection of Claim 1 and respectfully asserts that Claim 1 is patentable over the patents granted to Yamada and Cole Sr. et al.; either alone or in combination. Furthermore, Claims 2-9 are allowable for depending on allowable independent Claim 1 and, in combination, including limitations not taught or described in the references of record.

Independent Claim 19 positively recites a flange disposed along the first side and having a plurality of holes arranged substantially to align the temperature control assembly for use in an etching process chamber assembly and to position the second side to face toward a process chamber of the etching process chamber assembly. These advantageously claimed features are not taught or suggested by the patents granted to Yamada or Cole Sr. et al.; either alone or in combination.

Yamada teaches away from the advantageously claimed invention because Yamada teaches a wafer chuck having a refrigeration plate and a heater for use in a wafer prober (paragraphs 0015 and 0032), not a temperature control assembly for use in an etching process chamber assembly as advantageously claimed. Similarly, Cole Sr. et al. teaches away from the advantageously claimed invention because Cole Sr. et al. teaches a wafer chuck having a heating element and a cooling element for use in a wafer prober (paragraphs 0002, 0003, and 0028), not

a temperature control assembly for use in an etching process chamber assembly as advantageously claimed.

The Applicant respectfully traverses the assertion in the Office Action (page 5) that Cole Sr. et al. teach the advantageously claimed second fasteners in paragraphs 0039 and 0043. The Applicant submits that Cole Sr. et al. do not teach the second fasteners that include a curved surface that engages the outside surface of the cooling conduit, the curved surface having a shorter radius than the outside surface, such that when coupled to the housing the second fasteners associate the cooling conduit with the housing by clamping the cooling conduit against the housing (paragraphs 0039 and 0043).

Therefore, the Applicant respectfully traverses the rejection of Claim 19 and respectfully asserts that Claim 19 is patentable over the patents granted to Yamada and Cole Sr. et al.; either alone or in combination. Furthermore, Claim 20 is allowable for depending on allowable independent Claim 19 and, in combination, including limitations not taught or described in the references of record.

For the reasons stated above, this application is believed to be in condition  
for allowance. Reexamination and reconsideration is requested.

Respectfully submitted,

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